

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**LINDA MALOBA LUCAS,**

**Plaintiff,**

**v.**

**Civil Action 2:24-cv-3888  
Judge Algenon L. Marbley  
Magistrate Judge Chelsey M. Vascura**

**FIFTH THIRD BANK N.A., *et al.*,**

**Defendants.**

**ORDER**

This matter came before the Court for a telephonic discovery conference on May 28, 2025. Plaintiff, Linda Lucas, and Defendant, Fifth Third Bank, N.A., appeared and were represented by counsel. This Order memorializes the results of that conference.

Fifth Third requested the conference to address several alleged deficiencies with Plaintiff's discovery responses. During the conference, the undersigned ruled that Plaintiff must supplement her responses to several interrogatories and requests for production of documents as follows:

- Plaintiff must supplement her answers to Interrogatory Nos. 4 and 6 with dollar amounts of claimed damages (except for noneconomic damages and ongoing attorney's fees—though Plaintiff must continue to provide quarterly accounts of attorney's fees incurred in this action as required by the Preliminary Pretrial Order);
- Plaintiff must seek documents responsive to Request for Production No. 6 (seeking documents related to any loss of credit based on any alleged action or inaction by Fifth Third) from her financial institutions, because those documents are within her "possession, custody, or control" for purposes of Federal Rule of Civil Procedure 34(a)(1);

- Plaintiff must supplement her answers to Interrogatory Nos. 20–22 to provide the specific facts or conduct by Fifth Third supporting Plaintiff’s claims under the Real Estate Settlement Procedures Act; and
- Plaintiff must supplement her answers and responses to Interrogatory No. 15, 17–19, and Request for Production Nos. 22–23, 25, 32–33, to state that she is not withholding any documents or information responsive to these requests and that she has responded fully to these requests based on the information she currently has in her possession.

The undersigned further ruled during the conference, on Plaintiff’s oral motion, that Fifth Third must withdraw its subpoenas served on Chase Bank and Huntington Bank to obtain documents related to Plaintiff’s applications for credit; these documents are encompassed within Request for Production No. 6, to which Plaintiff must supplement her response as outlined above.

As Plaintiff’s supplemental responses to written discovery and the parties’ depositions remain outstanding, the undersigned granted in part Plaintiff’s motion to extend the case schedule (ECF No. 23.)

Finally, as Fifth Third indicated that it does not oppose Plaintiff’s Motion to Amend the Complaint (ECF No. 24), the undersigned granted that motion as unopposed under Federal Rule of Civil Procedure 15(a)(2).

In sum:

- Fifth Third’s Oral Motion to compel further discovery responses is **GRANTED IN PART and DENIED IN PART** as outlined above.
- Plaintiff’s Oral Motion to quash Fifth Third’s subpoenas to Chase Bank and Huntington Bank is **GRANTED**. Fifth Third is **ORDERED** to immediately contact the subpoena recipients and inform them that the subpoenas have been withdrawn.
- Plaintiff’s Motion to extend the case schedule (ECF No. 23) is **GRANTED IN PART AND DENIED IN PART** as follows: the discovery period is extended for the *limited purpose* of completing depositions and supplementing Plaintiff’s discovery responses until **JUNE 30, 2025**, and dispositive motions must be filed by **AUGUST 29, 2025**.

- Plaintiff's Motion for Leave to File Amended Complaint (ECF No. 24) is **GRANTED**. The Clerk is **DIRECTED** to file on the docket Plaintiff's First Amended Complaint, attached to Plaintiff's Motion as Exhibit A (ECF Nos. 24-1, 24-2).

**IT IS SO ORDERED.**

/s/ Chelsey M. Vascura  
CHELSEY M. VASCURA  
UNITED STATES MAGISTRATE JUDGE